

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1117 be amended to read as follows:

- 1 Page 5, between lines 9 and 10, begin a new paragraph and insert:
- 2 "SECTION 8. IC 13-21-13-1 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. (a) A board may
- 4 impose fees on the disposal of solid waste in a final disposal facility
- 5 located within the district. A fee imposed by a board in a county with
- 6 a population of more than one hundred ten thousand (110,000) but less
- 7 than one hundred fifteen thousand (115,000) under this section may not
- 8 exceed two dollars and fifty cents (\$2.50) a ton. **A fee imposed by a**
- 9 **board may not exceed six dollars (\$6) a ton at a landfill that is**
- 10 **located in a county that does not zone under IC 36-7-4 and is**
- 11 **permitted after January 1, 2006.** A fee imposed by a board in other
- 12 counties under this section may not exceed:
- 13 (1) two dollars and fifty cents (\$2.50) a ton; or
- 14 (2) the amount of a fee imposed by the board;
- 15 (A) under this section; and
- 16 (B) in effect on January 1, 1993;
- 17 whichever is greater.
- 18 (b) The board shall do the following:
- 19 (1) Set the amount of fees imposed under this section after a
- 20 public hearing.
- 21 (2) Give public notice of the hearing.
- 22 (c) If solid waste has been subject to a district fee under this section,
- 23 the total amount of the fee that was paid shall be credited against a
- 24 district fee to which the solid waste may later be subject under this
- 25 section.

(d) Except as provided in section 4 of this chapter, fees imposed under this chapter shall be imposed uniformly on public facilities and on privately owned or operated facilities throughout the district.

(e) A resolution adopted by a board that establishes fees under this chapter may contain a provision that authorizes the board to impose a penalty of not more than five hundred dollars (\$500) per day because of:

- (1) nonpayment of fees; or
- (2) noncompliance with a condition in the resolution.

(f) A board may not impose fees for material used as alternate daily cover pursuant to a permit issued by the department under 329 IAC 10-20-13.

SECTION 9. IC 13-22-9-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 4. The amount of financial responsibility a person must establish under section 1 of this chapter for a hazardous waste landfill or a solid waste landfill must:

(1) be the greater of:

(A) fifteen thousand dollars (\$15,000) for each acre or part of an acre covered by the hazardous waste landfill or solid waste landfill **or thirty thousand dollars (\$30,000) for each acre or part of an acre covered by a solid waste landfill that is:**

**(i) located in a county that does not zone under IC 36-7-4; and**

**(ii) permitted after January 1, 2006; or**

(B) an amount determined by the commissioner that is sufficient to close the hazardous waste landfill or solid waste landfill in a manner that:

- (i) minimizes the need for further maintenance; and
- (ii) provides reasonable, foreseeable, and necessary maintenance during postclosure; and

(2) provide assurance of proper postclosure maintenance and monitoring for at least thirty (30) years after the hazardous waste landfill or solid waste landfill has ceased operations."

Renumber all SECTIONS consecutively.

(Reference is to HB 1117 as printed January 25, 2006.)

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Representative Grubb